1 Honorable J Richard Creatura 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 9 NATHEN BARTON, CASE NO. 3:21-cv-05610-JRC Plaintiff 10 MOTION FOR ENTRY OF v. **DEFAULT** 11 JOE DELFGAUW, XANADU 12 MARKETING INC., EXPERIAN INFORMATION SOLUTIONS INC., 13 STARTER HOME INVESTING INC, & 14 JOHN DOE 1-10 15 COMES NOW Plaintiff Nathen Barton (hereinafter referred to as "Barton") to ask this 16 Court to note defendant Joe Delfgauw ("Delfgauw"), Xanadu Marketing Inc. ("Xanadu"), and 17 Starter Home Investing Inc. ("Starter Home") to be in default. 18 This Court granted Barton's Motion to Amend (Dkts. 51, 56) on 12/29/21 (Dkt. 77). 19 Barton filed the Amended Complaint on 12/31/2022 (Dkt. 83) using the Electronic Filing 20 (CM/ECF) system. 21 As of 1/18/2022 no defendant has Answered the Amended Complaint. 22 By FRCP 15(a)(3) they have 14 days after service of the Amended Complaint to answer. 23 24 MOTION FOR ORDER OF DEFAULT - 1 / 4 NATHEN BARTON 4618 NW 11TH CIR CASE NO 3:21-CV-05610-JRC

CAMAS WA 98607

Case 3:21-cv-05610-JRC Document 99 Filed 01/18/22 Page 2 of 4

| 1 | By Plaintiff's calculation, today, January 18, 2022, is more than 14 days after the | | |
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| 2 | Amended Motion to Dismiss was served on 12/31/2021, and Plaintiff has not received a | | |
| 3 | responsive pleading in the above captured action, nor has the Defendant or Defendant's counse | | |
| 4 | asked for more time or sent Plaintiff an Answer to his Amended Complaint, or a further | | |
| 5 | responsive pleading. Plaintiff testifies to the same in the associated Declaration of Nathen | | |
| 6 | Barton. | | |
| 7 | Therefore, Plaintiff submits this motion for an entry of default. | | |
| 8 | s/ Nathen Barton 1/18/2022 | | |
| 9 | (signed) (Dated) | | |
| 10 | Nathen Barton | | |
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MOTION FOR ORDER OF DEFAULT - 2 / 4 CASE NO 3:21-CV-05610-JRC

NATHEN BARTON 4618 NW 11^{TH} CIR CAMAS WA 98607

| 1 | | Honorable J Richard Creatura | |
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| 7 8 | UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON | | |
| 9 | NATHEN BARTON, | CASE NO. 3:21-cv-05610-JRC | |
| 10 | Plaintiff | [PROPOSED] ORDER FOR ENTRY | |
| 11 | V. | OF DEFAULT | |
| 12 | JOE DELFGAUW, XANADU | | |
| | MARKETING INC., EXPERIAN | | |
| 13 | INFORMATION SOLUTIONS INC., | | |
| 14 | STARTER HOME INVESTING INC, & | | |
| 15 | JOHN DOE 1-10 | | |
| 16 | THIS MATTER came before the Court on | Plaintiff's MOTION FOR ENTRY OF | |
| 17 | DEFAULT. Having considered the matter, as wel | l as the pleadings and records in the Court's | |
| 18 | file and the relevant legal authorities, the Court is | full informed. It is HEREBY ORDERED: | |
| 19 | Defendants Joe Delfgauw, Xanadu Marketing Inc., and Starter Home Investing Inc. are in | | |
| 20 | default on the above captioned matter. The clerk of | of the Court is to enter each party's default. | |
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| 22 | Dated this day of | , 2022. | |
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| | MOTION FOR ORDER OF DEFAULT - 3 / 4 CASE NO 3:21-CV-05610-JRC | NATHEN BARTON 4618 NW 11 TH CIR CAMAS WA 98607 | |

| 1 | | Federal Court |
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| 2 | Western I APPROVED AS TO FORM | District of Washington |
| 3 | 3s/ Nathen Barton | |
| 4 | Nathen Barton, Pro Se | |
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| 24 | MOTION FOR ORDER OF DEFAULT - 4 / 4 CASE NO 3:21-CV-05610-JRC | NATHEN BARTON 4618 NW 11 TH CIR |

CAMAS WA 98607